



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

Regulatory Branch (1145)
CEPOA-CO-R
Post Office Box 6898
Elmendorf AFB, Alaska 99506-0898

| | |
|----------------------------|-------------------------|
| PUBLIC NOTICE DATE: | January 4, 2007 |
| EXPIRATION DATE: | January 19, 2007 |
| REFERENCE NUMBER: | POA-2006-1911-4 |
| WATERWAY: | Noatak River |

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached plan.

APPLICANT: Northwest Arctic Borough School District, P.O. Box 51, Kotzebue, Alaska 99752 (Attn: Ms. Kathy Christy at 907-442-3472).

AGENT: PND Engineers, Inc., 1506 West 36th Avenue, Anchorage, Alaska 99503 (Attn: Ms. Jennifer Lundberg at 907-561-1011).

LOCATION: The proposed project is located within section 17, T. 25 N., R. 19 W., Kateel River Meridian; Latitude 67.5695° N., Longitude 162.9856° W. From the airport take the Government Airport Road north then turn south onto the Winter Trail to the new subdivision. Lakeside Ave will be extended to the school site and the proposed new school will be located on Lakeside Ave in Noatak, Alaska.

PURPOSE: Build a new K-12 school for the community of Noatak.

WORK: Discharge approximately 28,000 cubic yards of fill material into approximately 2.2 acres of wetlands to build an access road and gravel pad associated with the new school. The proposed school building would be 49,000 square feet and supported on pilings.

ADDITIONAL INFORMATION: The applicant's authorized agent may be contacted for additional information.

MITIGATION: None proposed.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: Section 307(c)(3) of the Coastal Zone, Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3), requires the applicant to certify that the described activity affecting land or water uses in the Coastal Zone complies with the Alaska Coastal Management Program. A permit will not be issued until the Office of Project Management and Permitting, Department of Natural Resources has concurred with the applicant's certification.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are no listed or eligible properties in the vicinity of the worksite. Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Engineer at this time, and he is otherwise unaware of the presence of such resources. This application is being coordinated with the State Historic Preservation Office (SHPO). Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

TRIBAL CONSULTATION: The Alaska District fully supports tribal self-governance and government-to-government relations between the Federal government and Federally recognized Tribes. This notice invites participation by agencies, Tribes, and members of the public in the Federal decision-making process. In addition, Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This Public Notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Engineer during the public comment period.

ENDANGERED SPECIES: No threatened or endangered species are known to use the project area.

Preliminarily, the described activity will not affect threatened or endangered species, or modify their designated critical habitat, under the Endangered Species Act of 1973 (87 Stat. 844). This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The proposed work is being evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 U.S.C. *et seq* and associated federal regulations found at 50 CFR 600 Subpart K. The Alaska District includes areas of EFH as Fishery Management Plans. We have reviewed the January 20, 1999, North Pacific Fishery Management Council's Environmental Assessment to locate EFH area as identified by the National Marine Fisheries Service (NMFS).

We have determined that the described activity within the proposed area will not adversely affect EFH, including anadromous fish and federally managed fishery resources.

SPECIAL AREA DESIGNATION: None.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its

reasonably foreseeable detriments. The outcome of the general balancing process would determine whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur. That decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Robert W. Jobson, Jr. at (907) 753-2712, toll free from within Alaska at (800) 478-2712, or by email at robert.w.jobson@poa02.usace.army.mil if further information is desired concerning this notice.

AUTHORITY: This permit will be issued or denied under the following authorities:

(X) Discharge dredged or fill material into waters of the United States - Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

A plan, Notice of Application for Certification of Consistency with the Alaska Coastal Management Program, and Notice of Application for State Water Quality Certification are attached to this Public Notice.

District Engineer
U.S. Army, Corps of Engineers

Attachments

STATE OF ALASKA

OFFICE OF THE GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
OFFICE OF PROJECT MANAGEMENT AND PERMITTING

ALASKA COASTAL ZONE MANAGEMENT
550 WEST 7TH AVENUE, SUITE 1660
ANCHORAGE, ALASKA 99501-3568

**NOTICE OF APPLICATION
FOR
CERTIFICATION OF CONSISTENCY WITH THE
ALASKA COASTAL MANAGEMENT PROGRAM**

Notice is hereby given that a request is being filed with the Office of Project Management and Permitting for a consistency determination, as provided in Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended [16 U.S.C. 1456(c)(3)], that the project described in the Corps of Engineers Public Notice No.: **POA-2006-1911-4, Noatak River**, will comply with the Alaska Coastal Management Program and that the project will be conducted in a manner consistent with that program.

The Office of Project Management and Permitting requests your comments, particularly on the proposed project's consistency with the affected local coastal district management program. For more information on the consistency review contact OPMP at (907) 269-7470 or (907) 465-3562, or visit the ACMP web site at <http://www.gov.state.ak.us/gdc/Projects/projects.html>.

STATE OF ALASKA

OFFICE OF THE GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION

DIVISION OF WATER

401 Certification Program

Non-Point Source Water Pollution Control Program

NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No.: **POA-2006-1911-4, Noatak River**, State Water Quality Certification from the Department of Environmental Conservation.

After reviewing the application, the Department may certify that there is reasonable assurance that the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project with respect to Water Quality Certification may submit written comments within 30 days of the date of the Corps of Engineer's Public Notice to:

Department of Environmental Conservation
WQM/401 Certification
555 Cordova Street
Anchorage, Alaska 99501-2617
Telephone: (907) 269-6281
FAX: (907) 269-7508

APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT
(33 CFR 325)

OMB APPROVAL NO. 0710-0003
Expires December 31, 2004

The Public burden for this collection of information is estimated to average 10 hours per response, although the majority of applications should require less than 5 hours. This includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters Service, Directorate of Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302; and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003), Washington, DC 20503. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. Please DO NOT RETURN your form to either of those addresses. Completed application must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404 33 USC 1344; Marine Protection, Research and Sanctuaries Act, 33 USC 1413, Section 103. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued.

One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

| | | | |
|--------------------|----------------------|------------------|-------------------------------|
| 1. APPLICATION NO. | 2. FIELD OFFICE CODE | 3. DATE RECEIVED | 4. DATE APPLICATION COMPLETED |
|--------------------|----------------------|------------------|-------------------------------|

(ITEMS BELOW TO BE FILLED BY APPLICANT)

| | |
|--|--|
| 5. APPLICANT'S NAME Northwest Arctic Borough School District (Kathy Christy) | 8. AUTHORIZED AGENT'S NAME AND TITLE (an agent is not required) PND Engineers, Inc. (Jennifer Lundberg) |
| 6. APPLICANT'S ADDRESS PO Box 51 Kotzebue, AK 99752 | 9. AGENT'S ADDRESS 1506 West 36 th Avenue Anchorage, Alaska 99503 |
| 7. APPLICANT'S PHONE NOS. W/ AREA CODE a. Residence (907) b. Business (907) 442-3472 | 10. AGENT'S PHONE NOS. W/ AREA CODE a. Fax (907) 563-4220 b. Business (907) 561-1011 |

11. (STATEMENT OF AUTHORIZATION)

I hereby authorize, PND Engineers, Inc., to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.


APPLICANT'S SIGNATURE

11/09/06
DATE

NAME, LOCATION AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions)
Noatak K-12 Replacement School

13. NAME OF WATER BODY, IF KNOWN (if applicable)
Near the Noatak River

14. PROJECT STREET ADDRESS (if applicable)
On Lakeside Drive

15. LOCATION OF PROJECT
Northwest Arctic Borough Alaska
COUNTY STATE

16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions)

T25N, R19W, Section 17, Kateel River Meridian
USGS Quad, Noatak C-2

Lat 162.9856° N, Long 67.5695° W

LAT 67.5695° N LONG 162.9856° W

17. DIRECTIONS TO THE SITE

From airport, take the Government Airport Road north then turn south onto the Winter Trail to the new subdivision. Lakeside Ave will be extended to the school site.

18. NATURE OF ACTIVITY (Description of project, include all features)

The construction of a new 49,000 sq ft replacement K-12 School for the village of Noatak on a new site. The project will include the extension of utilities and access road.

19. PROJECT PURPOSE (Describe the reason or purpose of the project, see instructions)

The existing school is at 230% capacity, located within the direct approach of the airstrip which violates FAA regulations and is being eroded by the Noatak River.

USE BLOCKS 20-22 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED**20. REASON(S) FOR DISCHARGE**

The gravel pad is necessary to protect the tundra and permafrost from melting during the use of the site. The piles for the building and the bridge will allow for sheet flow of water during breakup and will also protect the permafrost from melting.

21. TYPE(S) OF MATERIAL BEING DISCHARGED AND THE AMOUNT OF EACH TYPE IN CUBIC YARDS

28,000 cy of gravel at the school pad and for the road extension

96,000 sq ft of geotextile under the gravel

Rigid insulation (TBD, will be under the gravel where there is insufficient gravel cover to ensure the permafrost does not melt).

22. SURFACE AREA IN ACRES OF WETLANDS OR OTHER WATERS FILLED (see instructions)

2.2 acres

23. IS ANY PORTION OF THE WORK ALREADY COMPLETE? Yes ☐ No ☒ **IF YES, DESCRIBE THE COMPLETED WORK****24. ADDRESSES OF ADJOINING PROPERTY OWNERS, LESSEES, ETC., WHOSE PROPERTY ADJOINS THE WATER BODY** (if

more than can be entered here, please attach a supplemental list).

NANA Regional Corporation

PO BOX 49

Kotzebue, AK 99752

(907) 442-3301

25. LIST OF OTHER CERTIFICATIONS OR APPROVALS/DENIALS RECEIVED FROM OTHER FEDERAL, STATE OR LOCAL AGENCIES FOR WORK DESCRIBED IN THIS APPLICATION.

AGENCY
DNR-OPMP

TYPE APPROVAL*
ACMP

IDENTIFICATION NUMBER

DATE APPLIED
Nov 06

DATE APPROVED

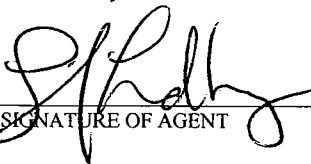
DATE DENIED

* Would include but is not restricted to zoning, building, and floodplain permits.

26. Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.


SIGNATURE OF APPLICANT

11/09/06
DATE


SIGNATURE OF AGENT

11/9/06
DATE

The application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

Project Description for Noatak K-12 School

This is new construction for a necessary K-12 replacement school for the town of Noatak. The project area is located on NANA Regional Corporation land, which is donated land in the new town site of Noatak. The population of Noatak is growing rapidly due to young families returning to the community with ample employment at nearby Red Dog Mine.

Existing Condition

The existing Noatak school is currently at 230% capacity and is only 22,000 sq ft. The existing school is located in the direct approach of the Noatak airstrip and this proximity violates FAA regulations. Due to massive erosion annually (during spring breakup) by the Noatak River the existing school is losing area that could be used for an expansion.

Future Needs

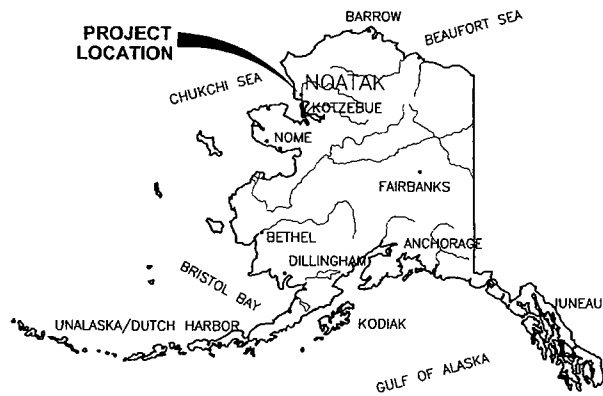
The school needs to be 40,000 sq ft to meet today's needs and State DEED Grant guidelines support a 54,000 sq ft school to meet 5 year projected demand. At this time a proposed new 49,000 sq ft replacement K-12 School for the village of Noatak is planned for an approved site. The project will include the extension of utilities and access road.

Construction Considerations

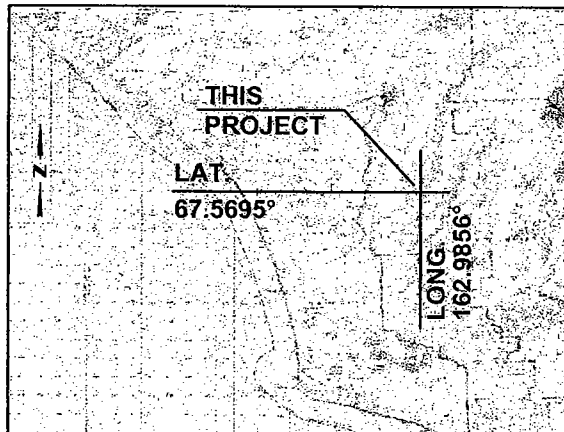
The new construction site is in an area donated by NANA Regional Corporation. The existing town site and school location are at risk due to river erosion. Therefore the town is expanding away from the river and other streams and into the area proposed for the new school. The new school will be in the center of the new housing planned for the expanding community.

The project area is entirely underlain by permafrost. The applicant proposes to use cold region construction techniques including building the school on piles and using insulation under the road and gravel pad to prevent thawing. The gravel pad and road extension together are approximately 2.2 acres in size. There will be 16,000cy of gravel for the gravel pad around 3 sides of the structure. There will be 12,000cy of gravel for the access road. The gravel will be supplied from existing gravel sources. The gravel will act as an insulator for the underlying permafrost with rigid insulation at toes of road where gravel thickness is less. Additionally, the tundra will be protected from gravel intrusion with geotextile laid down below the road base. The sewer and water will be attached to the existing pressurized system and constructed within the road prism to minimize impact to the tundra.

A bridge will be constructed at the downhill side of the school to eliminate culverts and allow free flow under buildings and off of site. This is to allow for unobstructed sheet flow breakup. No streams are located in this area.



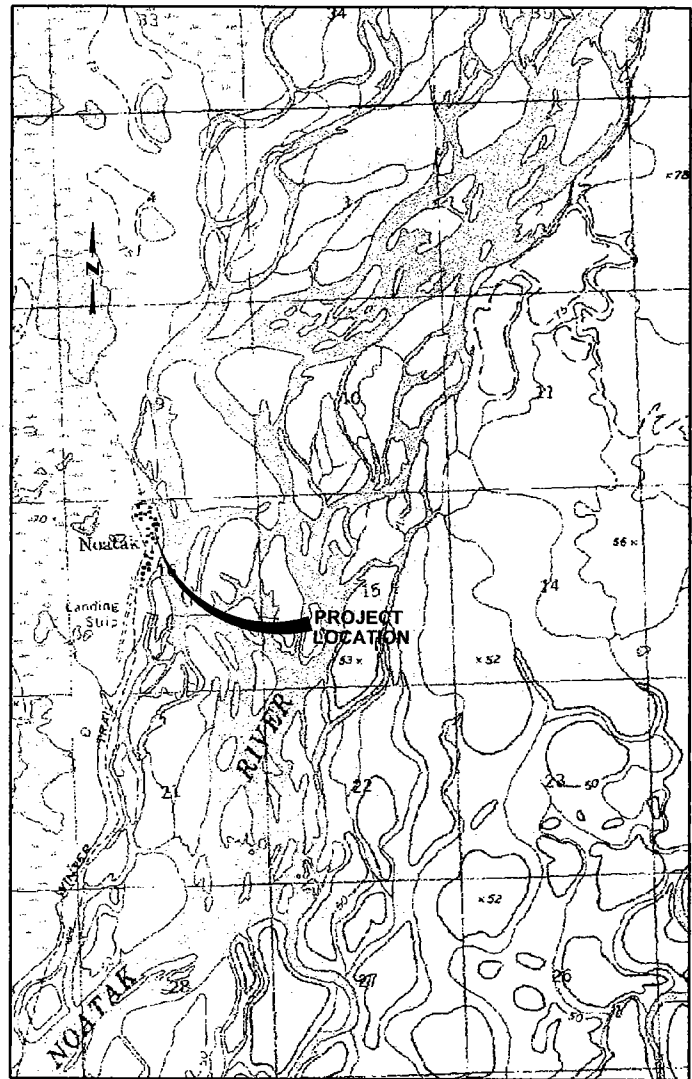
STATE OF ALASKA



USGS QUADS, NOATAK 250K

LOCATION MAP

SCALE (MILES)



VICINITY MAP

SCALE (MILES)



PURPOSE: CONSTRUCT K-12 SCHOOL.

DATUM:

ADJACENT PROPERTY OWNERS:
NANA REGIONAL CORP

VICINITY MAP

NORTHWEST ARCTIC BOROUGH
SCHOOL DISTRICT
P.O. BOX 51
KOTZEBUE, AK 99752

NOATAK K-12 SCHOOL

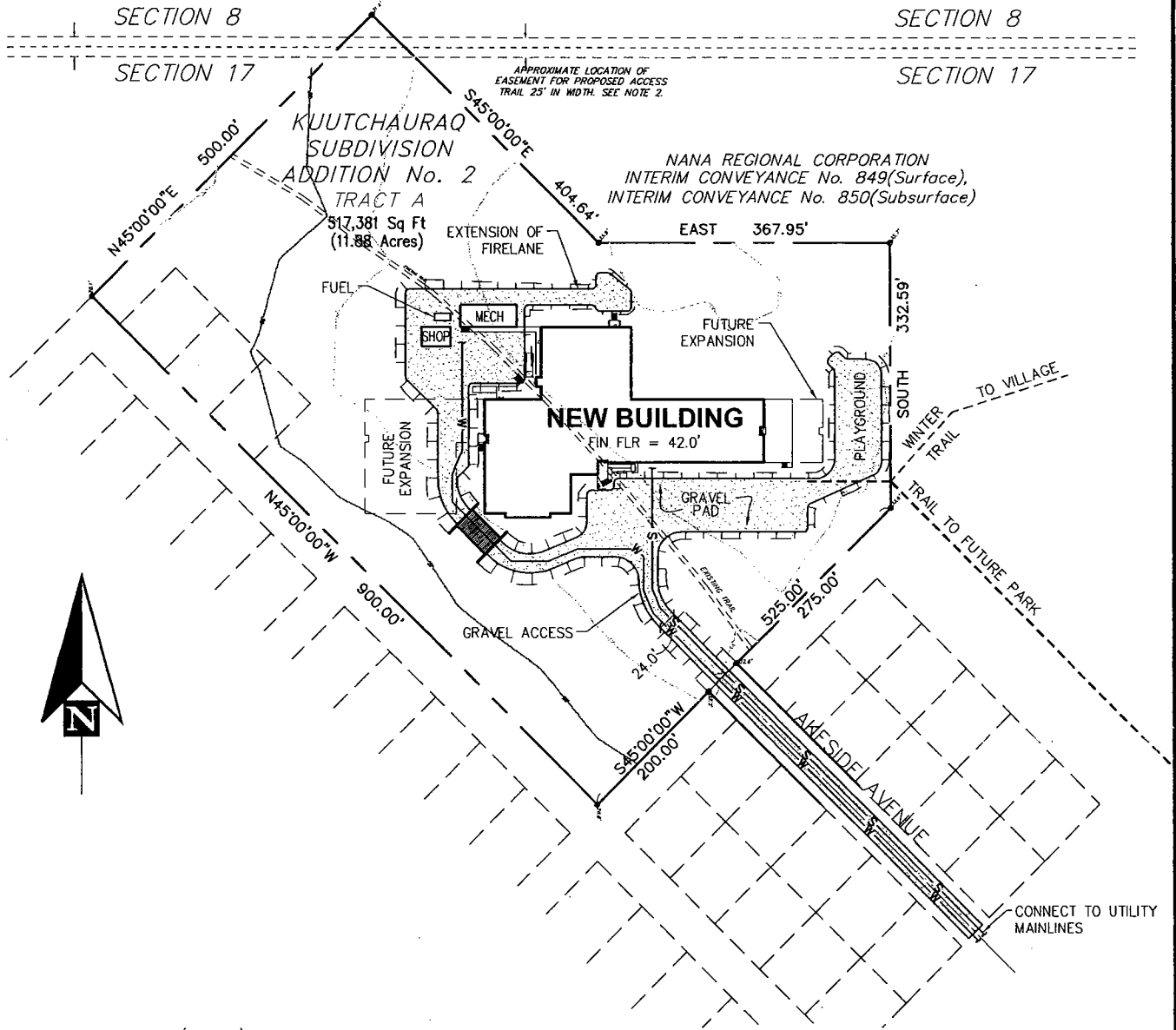
IN: NOATAK, AK.
T25N, R19W, SECTION 17
KATEEL RIVER MERIDIAN
USGS NOATAK C-2

NOV 2006

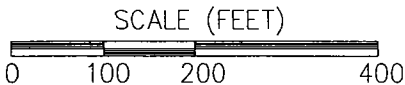
SHEET **1** of **5**

GOVERNMENT LOT 2

NANA REGIONAL CORPORATION
INTERIM CONVEYANCE No. 849(Surface),
INTERIM CONVEYANCE No. 850(Subsurface)



PLAN



PURPOSE: CONSTRUCT K-12 SCHOOL.

DATUM:

ADJACENT PROPERTY OWNERS:
NANA REGIONAL CORP

SITE PLAN

NORTHWEST ARCTIC BOROUGH
SCHOOL DISTRICT
P.O. BOX 51
KOTZEBUE, AK 99752

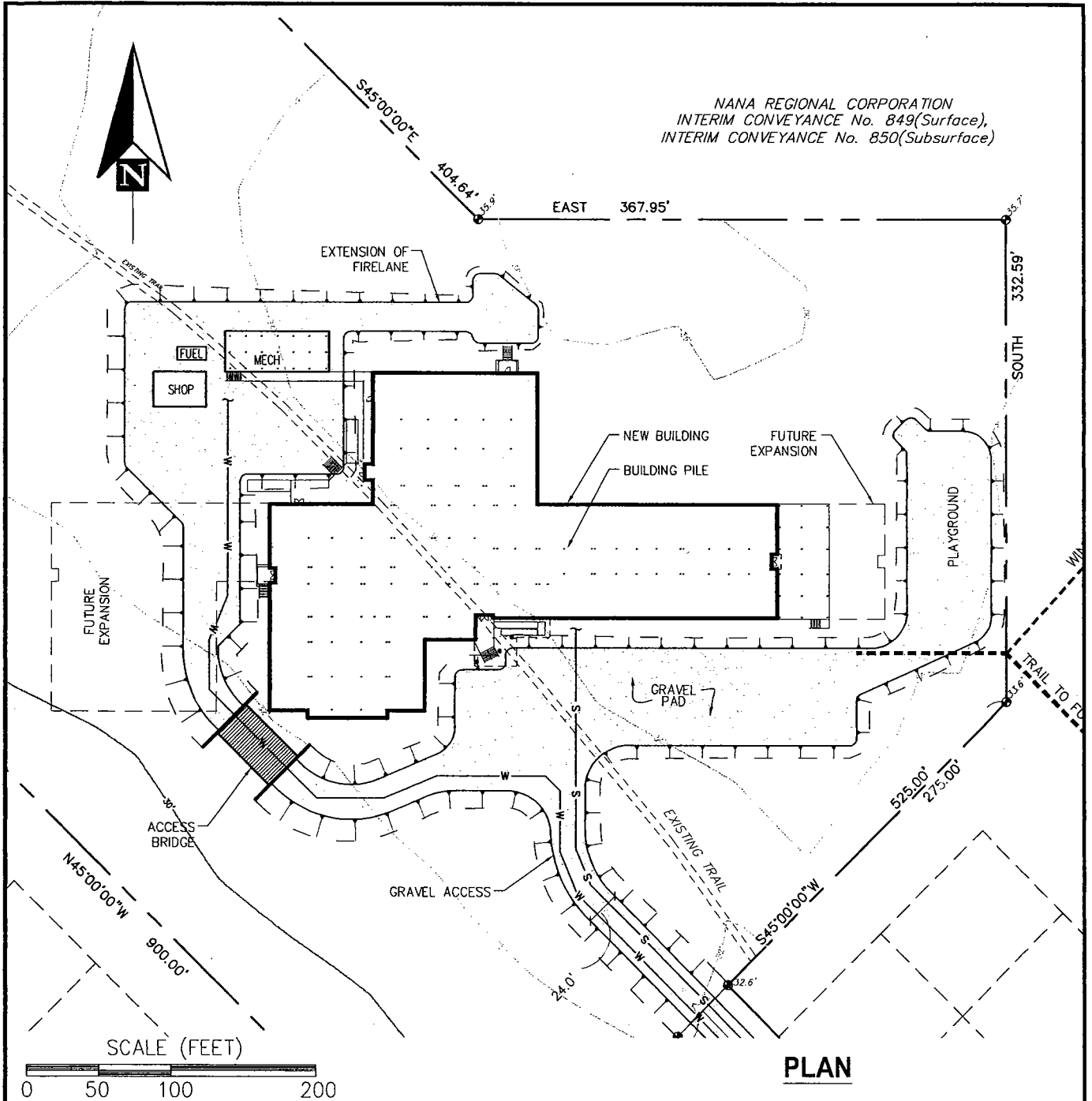
NOATAK K-12 SCHOOL

IN: NOATAK, AK.
T25N, R19W, SECTION 17
KATEEL RIVER MERIDIAN
USGS NOATAK C-2

NOV 2006

SHEET **2** of **5**

NANA REGIONAL CORPORATION
 INTERIM CONVEYANCE No. 849(Surface),
 INTERIM CONVEYANCE No. 850(Subsurface)



PLAN

PURPOSE: CONSTRUCT K-12
 SCHOOL.

DATUM:

ADJACENT PROPERTY OWNERS:
 NANA REGIONAL CORP

SCHOOL SITE PLAN

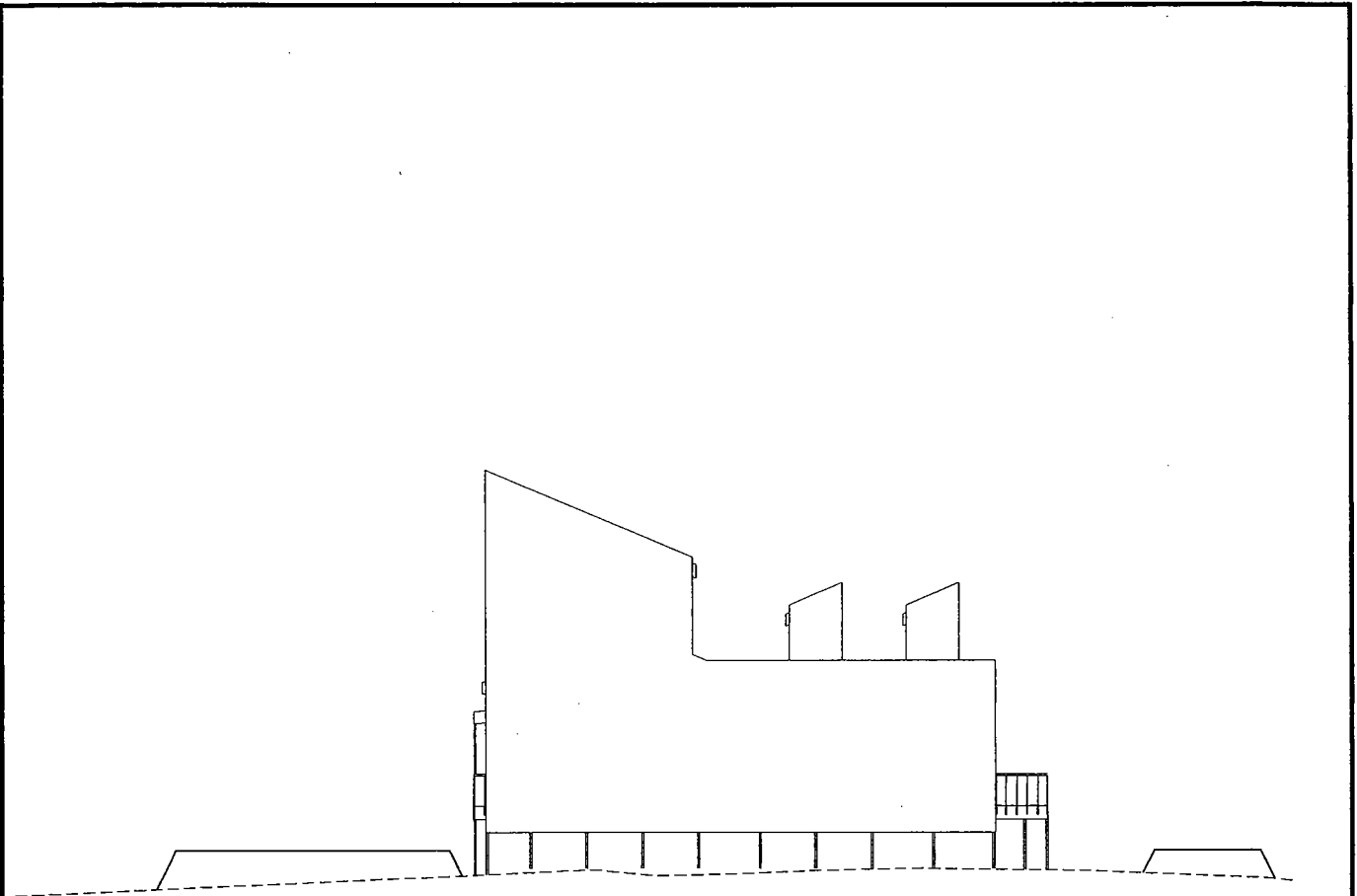
NORTHWEST ARCTIC BOROUGH
 SCHOOL DISTRICT
 P.O. BOX 51
 KOTZEBUE, AK 99752

NOATAK K-12 SCHOOL

IN: NOATAK, AK.
 T25N, R19W, SECTION 17
 KATEEL RIVER MERIDIAN
 USGS NOATAK C-2

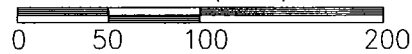
NOV 2006

SHEET **3** of **5**



SITE SECTION

SCALE (FEET)



VERTICAL SCALE IS 5:1

PURPOSE: CONSTRUCT K-12
SCHOOL.

DATUM:

ADJACENT PROPERTY OWNERS:
NANA REGIONAL CORP

SECTION

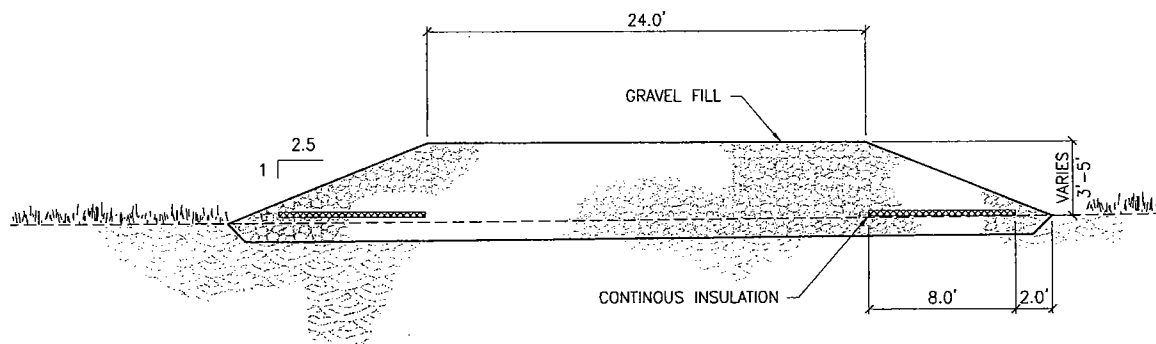
NORTHWEST ARCTIC BOROUGH
SCHOOL DISTRICT
P.O. BOX 51
KOTZEBUE, AK 99752

NOATAK K-12 SCHOOL

IN: NOATAK, AK.
T25N, R19W, SECTION 17
KATEEL RIVER MERIDIAN
USGS NOATAK C-2

NOV 2006

SHEET **4** of **5**



SECTION

PURPOSE: CONSTRUCT K-12
SCHOOL.

DATUM:

ADJACENT PROPERTY OWNERS:
NANA REGIONAL CORP

ROAD SECTION

NORTHWEST ARCTIC BOROUGH
SCHOOL DISTRICT
P.O. BOX 51
KOTZEBUE, AK 99752

NOATAK K-12 SCHOOL

IN: NOATAK, AK.
T25N, R19W, SECTION 17
KATEEL RIVER MERIDIAN
USGS NOATAK C-2

NOV 2006

SHEET **5** of **5**